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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

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|--|-------------------------------|--------------------------------|
| ATTORNEY'S DOCKET NUMBER | | |
| WSUR117373 | | |
| U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5) | | |
| 09/830529 | | |
| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE | EARLIEST PRIORITY DATE CLAIMED |
| PCT/US99/25350 | 26 October 1999 (26.10.99) | 27 October 1998 (27.10.98) |
| TITLE OF INVENTION | | |
| USE OF CLAY AND LIPID FORMULATIONS TO PROTECT HORTICULTURAL CROPS FROM SUNBURN AND INSECT DAMAGE | | |
| APPLICANT(S) FOR DO/EO/US | | |
| KAMMERECK, Rudolf and SCHRADER, Lawrence E. | | |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- X 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- X 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- X 4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- X 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
- X a. is attached hereto (required only if not communicated by the International Bureau).
- b. has been communicated by the International Bureau.
- X c. is not required, as the application was filed in the United States Receiving Office (RO/US).

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

09/830529

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- _____ 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
- X 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- _____ a. are attached hereto (required only if not communicated by the International Bureau).
- _____ b. have been communicated by the International Bureau.
- _____ c. have not been made; however, the time limit for making such amendments has NOT expired.
- X d. have not been made and will not be made.
- _____ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- _____ 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- _____ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

- _____ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- _____ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- _____ 13. A FIRST preliminary amendment.
- _____ 14. A SECOND or SUBSEQUENT preliminary amendment.
- _____ 15. A substitute specification.
- _____ 16. A change of power of attorney and/or address letter.
- _____ 17. A computer-readable form of the sequence listing in accordance with 35 U.S.C. 1.821 - 1.825.
- _____ 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- _____ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- _____ 20. Other items or information:

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|--|---------------------|---------------------|-------------|-------------------------------------|----|
| <u>X</u> 21. The following fees are submitted:. | | | | CALCULATIONS PTO USE ONLY | |
| BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5): | | | | | |
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1,000 | | | | | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$860 | | | | | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710 | | | | | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$690 | | | | | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100 | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | \$690 | |
| Surcharge of \$130 for furnishing the oath or declaration later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 41 - 20 = | 21 | X \$18 | \$378 | |
| Independent claims | 4 - 3 = | 1 | X \$80 | \$80 | |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable) | | | + \$270 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$1,148 | |
| <u>X</u> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$574 | |
| SUBTOTAL = | | | | \$574 | |
| Processing fee of \$130 for furnishing the English translation later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$574 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$574 | |
| | | | | Amount to be: refunded | \$ |
| | | | | charged | \$ |

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- X a. Check No. 127693 in the amount of \$574 to cover the above fees is enclosed.
- X b. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.


SEND ALL CORRESPONDENCE TO:

Customer No. 26389

Dennis K. Shelton
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Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}


Dennis K. Shelton
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E-Mail Address: dennis@cojk.com

EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label number EL742872643US

Date of Deposit April 26, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Jeanee Barnes

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

DKS:cj

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